

TOWN OF LITCHFIELD

Selectmen's Meeting

May 17, 2010

The Board of Selectmen held a meeting at 5:30 p.m. in the Town Hall Conference Room.

Member present: Frank A. Byron, Chairman
Steven D. Perry, Vice Chairman
M. Patricia Jewett
George A. Lambert
John R. Brunelle

5:30 p.m. Review of Paperwork and Communications

7:00 p.m. **PLEDGE OF ALLEGIANCE**

All rose for the Pledge of Allegiance.

ANY OTHER BUSINESS

1. Department Meeting. 2. Ad for Town Administrator. 3. Background check procedure. 4. Merrimack Court dedication. 5. Resignation. 6. Albuquerque Avenue. 7. Budgets. 8. Police Budget. 9. Impact fees-Albuquerque.

PUBLIC INPUT

There was no public input.

INTEREST PENALTY RELIEF

Mr. & Mrs. Roland & Sophie Demers came forward to ask for a relief on the interest for a late payment. They explained that they had come back from Florida and received a notice that they hadn't paid their bill. They told the Board that they hadn't received a tax bill for July (2009). The Tax Collector's Office said that it was noted on their December bill that the July payment had not been received. They further explained that they had come in to pay the December bill not knowing that they hadn't paid their July bill and they were never told that the July bill hadn't been paid. They said that they never received it and that is how they are reminded to pay their bill. They said that they have always paid their taxes on time for 30 years and had they known they would have paid it. It was noted that the December bill clearly stated that the July bill hadn't been paid but they told the Board that they never looked at the bottom of the bill and pointed out that it is written in small print. They did pay the interest and the tax bill and then wrote the letter to the Board. The Board had denied their request and they feel they were treated wrongly because they have always paid on time for 30 years. They suggested in the future that they are sent a reminder that the taxes have not been paid.

Talk ensued. It was noted that the Tax Collector sends out bills to everyone and her records

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indicate the bill (July) went out and it did state on the second bill the July bill was not paid. The Board made a decision to deny based on that. The interest penalty was \$198.

Mr. Perry **MOTIONED** to return the interest penalties to Mr. & Mrs. Demers. Mr. Brunelle seconded. Mr. Lambert **AMENDED MOTION** that we reduce the amount we are going to return to these people by 50% bringing it down to \$100 to be refunded. Mr. Byron seconded. Vote on amended motion: Messrs. Lambert and Byron voted yes. Motion failed 2-3-0. Vote on Main motion: Mrs. Jewett voted no. Mr. Byron voted no. Motion carried 3-2-0.

VACATION POLICY 303

The Board discussed bringing the non-bargaining employees up to parity with the union regarding vacations. **Bargaining:** 1 year - 80 hours; 5 years - 120 hours; 10 years - 160; 15 years - 200 hours. **Nonbargaining:** 1 year - 80 hours; 5 years - 120 hours; 15 years - 160 hours.

Mr. Perry asked if the Board is obligated to make this change. It was said no but Mr. Brunelle pointed out he was told that there was a "gentlemen's agreement" there would be parity between the union and nonunion. Mr. Byron agreed that there was an understanding between the nonbargaining employees in the past where the nonbargaining were unionizing and there was discussion between the Selectmen and nonbargaining employees. Talk ensued. Mr. Perry said that the consequences are we are going to have people out of work more...and still have to get the same amount of work done...it doesn't cost more money it is just giving people more time off. Mr. Brunelle: So, Frank, I understand we do not have an obligation to do it. Mr. Byron: That is correct. Mr. Brunelle: It was a "gentlemen's agreement" to the rest of the employees to make sure we stay on par? Mr. Byron: That is my recollection. I wasn't on the Board at the time. Mrs. Jewett talked about the shortage of people in the office. Mr. Brunelle further stated that there is already a problem with resources. "We do not have enough employees to handle jobs based on the peak hours we have...your example is a normal occurrence whether we increase the hours or not...Lori takes a vacation, we are shorthanded, we do not have backup staff. Secondly, this has nothing to do with the voters and what they voted for. We have an agreement on the table that the employees, the nonbargaining unit, came to me and asked about what is going to happen with the fact that the contract was there. I was asked by Frank to do the research...we have a "gentlemen's agreement" with the nonbargaining unit to make sure the benefits are the same across the board".

Mr. Lambert: Did you know when you were negotiating the collective bargaining for the police...there was this "gentlemen's agreement" that was going to cost us?

Mr. Byron: I knew there was a "gentlemen's agreement" but did I know that this was going to trigger it off; no, I did not.

Mr. Perry **MOTIONED** to deny or reject the new Vacation Policy 303 for nonbargaining

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employees that was distributed. Mrs. Jewett seconded. Motion carried 5-0-0. Mr. Lambert suggested asking the department heads if there is anything the Board should do regarding this problem for the budget. This may be considered again at a later date.

PURCHASING POLICY

Mr. Byron **MOTIONED** that the Board of Selectmen hereby approves the Litchfield Purchasing Policy. Mr. Perry seconded. Motion carried 5-0-0

ABATEMENT

Mr. Byron **MOTIONED** that Board of Selectmen hereby abates \$16.50 for Tax Map 18 Lot 6. Mrs. Jewett seconded. Motion carried 5-0-0.

RECREATION COMMISSION

The Board is still awaiting background checks on the members. There are some members that have not filled out the forms. Chairman Byron pointed out that they do continue to serve on the Board until they are replaced. If they are not going to reapply, that they should notify the Selectmen. Mrs. Jewett will follow-up with Tony Schaeffer and Maurissa Fluett who have not submitted their forms. Also, the Board would like to meet with Elizabeth Darling who has applied as a volunteer to serve on the Recreation Commission, and possibly meet with her at the May 24, 2010 meeting or June 14, 2010.

INVESTMENT POLICY

Chairman Byron reported that Town Counsel reviewed the policy and it is recommended changing the wording to mimic the State law which states that the Treasurer can only delegate deposit of funds to the Town accounts, investment of funds, record keeping of funds and reconciliation of funds. Chairman Byron made sure that the delegation form reflects the recommended change. Also, the requirement has changed from \$500 to \$1,500 before the Treasurer has to go to the bank. The Treasurer would like to review the policy more in-depth.

Mr. Brunelle **MOTIONED** that we approve the Investment Policy as presented. Mrs. Jewett seconded. Mr. Byron **AMENDED MOTION** to state that the effective date is July 1, 2010 and the expiration date will be April 1, 2011. Mr. Perry seconded. Vote on amendment: Motion carried 5-0-0. Main motion: Motion carried 5-0-0.

FIRE DETAIL FEES

Mrs. Linda Langille told the Board that the fire detail has been paid from Mel's.

MINUTES

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Mr. Perry **MOTIONED** to approve the minutes of 5-10-2010 nonpublic, 5-10-2010 nonpublic, 5-5-2010, 5-13-2010 and 5-10-2010. Mrs. Jewett seconded. Motion carried 5-0-0

VETERAN'S EXEMPTION

The Board is in receipt of a letter asking for the Veteran's Exemption because they moved from Hudson to Litchfield and they were unaware they had to reapply in Litchfield. Mr. Lambert **MOTIONED** to approve the request. Mr. Brunelle seconded. Motion carried 5-0-0.

LIBRARY

The Board is in receipt of a request from the Library Director asking for \$1,000 to be added to their budget due to expenditures they incurred for spring cleanup, shoveling, etc. The Selectmen had approved these expenditures and agreed that they would be reimbursed.

Mr. Lambert **MOTIONED** that from 4194.10-650 we move \$800 to 4550.20-650 sidewalk maintenance. Mr. Perry seconded. Mr. Perry indicated by putting it in this line (sidewalk maintenance) would make it look out of whack. Mr. Brunelle suggested waiting to see if there is a short fall in their budget because they have \$2,500 in the building and repairs line item. Mrs. Jewett voted no. Mr. Brunelle voted no. Motion carried 3-2-0. Mr. Lambert **MOTIONED** that our accounting function construct a new line item that better represents the lawn maintenance and other responsibilities transferred to the Library department. No second. Motion failed.

COMMITTEE/DISTRICT REPORTS

Planning Board - There will be a meeting May 18, 2010, at 7:00 p.m. in the Town Hall.

Community Council - Mrs. Jewett is a Director on the Community Council representing Litchfield, will be attending a meeting at 100 West Pearl Street in Nashua.

Senior Spring Fling - The Committee will be meeting at Town Hall at 7:00 p.m. to discuss the event on May 27, 2010 at Talent Hall.

Fun Day - The Girls Softball team held a Family Fun Day at Talent Hall from 9:00 a.m. to 2:00 p.m.

Cable Committee - Mr. Lambert reported that the Cable Committee is in the process of purchasing the new recording equipment. This will enable residents to be able to download and watch the meetings on the web.

PUBLIC INPUT

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There was no public input.

ANY OTHER BUSINESS

1. Department Head meeting - Chairman Byron asked the members if they wanted to have a department head meeting on another day whereas the fifth Monday is a Holiday. The Selectmen usually holds a department head meeting on the fifth Monday of the month. Mr. Lambert **MOTIONED** that we have a department head meeting on June 7, 2010. Mrs. Jewett seconded. Mr. Lambert does not think the Board needs to meet with the department heads whereas there will be a new Town Administrator and the department heads would probably have questions at that time. Mr. Byron voted yes. Motion failed 1-4-0.

2. Town Administrator - The Board reviewed the Ad written by Local Government Center for a Town Administrator. Mrs. Jewett said she thought the Board had agreed that the person would have experience as a Town Administrator which is not stated in the Ad. Mr. Perry said it is stated in the job description. This was discussed. Chairman Byron suggested including two years of Town Administrator experience preferably in a N.H. municipal setting. To this, members indicated that they liked the way the Ad is written as is. Mr. Brunelle **MOTIONED** that we accept the Ad and forward to LGC for publication. Mr. Perry seconded. Mrs. Jewett voted no. Motion carried 4-1-0.

3. Background Check policy - There is concern as to what happens to the confidential information submitted by applicants. Chairman Byron is recommending having the police department shred the information after 30 days or so. This policy will be reviewed at a later date.

4. Impact Fees - The Board voted on May 10, 2010, to freeze the use of impact fees. Chairman Byron questioned if this affects the vote a few months ago for use of road impact fees to complete Albuquerque Avenue/April Drive. The Board agreed that the vote on May 10th was for future use of impact fees not past votes.

5. Merrimack Court House dedication - The Board is in receipt of an invitation for the Merrimack Court House dedication. Mr. Byron asked if any member would be interested in attending. Mr. Lambert **MOTIONED** to authorize Pat to represent this Board as her wish at that particular ceremony. Mr. Brunelle seconded. Mrs. Jewett abstained. Motion carried 4-0-1.

6. Officer Resignation - Mr. Byron **MOTIONED** that the Board of Selectmen hereby accepts with regret the resignation of Officer Daniel B. Whelan as a full-time police officer effective 5/17/2010. Mrs. Jewett seconded. Motion carried 5-0-0. A copy will be provided to the Town Clerk. Chairman Byron wished Officer Whelan well in his new role.

7. Albuquerque Avenue - The Board signed the Notice to Proceed for American Excavating for work on Albuquerque Avenue culvert to begin June 1, 2010.

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8. Police Budget - Chairman Byron indicated that the budgeting of overtime was not booked at the number of hours the officer worked but it was booked at somebody who had worked to replace the officer...and that different rates of pay were used, etc. The Budget Committee suggested that the special officers be separated out and tracked separately. Chairman asked the liaisons to the police department to start working with Chief O'Brion to put together a strategy for getting the budget easier to understand. Also, be able to bring to the Budget Committee what is going to be proposed so we can all be on the same page in September/October. Talk continued. Chairman Byron said that he "wants to make sure we identify what goes into the buckets and make sure we all agree as to how the Chief is going to construct his budget. For example, the Lieutenant's overtime line did not reflect the salary of the Lieutenant; it related to the salary of a sergeant who replaces the Lieutenant while on vacation and the same for the Corporals, Master Patrol Officers, etc. Also, need to work on the School Resource Officers and specialists such as the investigators and they should probably be put into a special section and tracked. Chief O'Brion was splitting the SRO between work during the school versus the work when school was out of session and he may be substituting him as a part-time officer on the road during the summer months. All in all, Mr. Byron wants to make sure that it is all under control before budget season. Talk went on as to 2011 Budget process.

There being no further business, Mr. Brunelle **MOTIONED** to adjourn the meeting. Mr. Perry seconded. Motion carried 5-0-0. The meeting adjourned at 8:40 p.m.

Frank A. Byron, Chairman

Steven D. Perry, V.Chairman

M. Patricia Jewett

George A. Lambert

Steven D. Perry

Lorraine Dogopoulos
Selectmen's Secretary